

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: |) | |
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| Katsuya KASE et al. |) | Group Art Unit: 1745 |
| |) | |
| Application No.: 10/781,624 |) | Examiner: K. O'Neill |
| |) | |
| Filed: February 20, 2004 |) | Confirmation No.: 4112 |
| |) | |
| For: ACTIVE MATERIAL FOR |) | VIA EFS WEB |
| POSITIVE ELECTRODE IN NON- |) | |
| AQUEOUS ELECTROLYTE |) | |
| SECONDARY BATTERY |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the listed documents on the attached PTO SB/08 Form. This Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination in the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached. Copies of the U.S. patents and U.S. patent application publications are not enclosed

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the documents listed on the concurrently filed PTO SB/08 which are not in the English language, Applicant submits the following comments:

1. JP 11-025980: An English language abstract of this document accompanies this disclosure.

2. JP 2001-076724: An English language abstract of this document accompanies this disclosure.

3. JP 2004-014296: This document is believed to be related to U.S. Patent No. 7,026,068, U.S. Patent No. 7,459,238, and U.S. Pre-grant Publication No. 2005-271945.

4. JP 2002-050359: An English language abstract of this document accompanies this disclosure.

5. JP 2000-058053: An English language abstract of this document accompanies this disclosure.

6. JP 09-213330: An English language abstract of this document accompanies this disclosure.

7. JP 11-345615: An English language abstract of this document accompanies this disclosure.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Office applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 7, 2009

By: 

Nikolas J. Uhr
Reg. No. 62,201
617.452.1682